M E M O R A N D U M

Date: April 28, 2015

TO: David Bullock, Town Manager

FROM: Alaina Ray, AICP, Director
Planning, Zoning and Building Department

SUBJECT: Ordinance 2015-09, Moore's Stone Crab Restaurant, 800 Broadway Street, Change of Zoning

---

The applicant, Moore-Hicks Limited Partnership, requests consideration of an application for a Change of Zoning for the property located at 800 Broadway Street, currently known as Moore's Stone Crab Restaurant, to change the zoning from Single-Family High Density Residential (R-6SF) to Limited Commercial (C-1).

The Planning and Zoning Board recommended approval of the Change of Zoning at their February 17, 2015, meeting as written.

The Town Commission held first reading and public hearing of Ordinance 2015-09 at their April 6, 2015 Regular Meeting and forwarded the item to their May 4, 2015 Regular Meeting for second reading and public hearing.

Attachments: 3-19-15 Memo, P&Z Board Chair to Commission;
2-9-15 Staff Report, PZB Director to P&Z Board;
Applicant's Application Package;
PowerPoint Presentation;
Draft minutes from the 2-17-15 P&Z Board Regular Meeting;
Ordinance 2015-09

xc: Maggie Mooney-Portale, Town Attorney

M E M O R A N D U M

DATE: March 19, 2015

TO: Honorable Mayor and Town Commission

THROUGH: Dave Bullock, Town Manager

FROM: Allen Hixon, Chair
Planning and Zoning Board

SUBJECT: Moore's Stone Crab Restaurant, 800 Broadway Street, Change of Zoning

---

During the public hearing held on February 17, 2015, the Planning and Zoning Board recommended APPROVAL of the Moore's Stone Crab Restaurant Change of Zoning application. The specific motion from the February 17, 2015, meeting of the P&Z Board is as follows:

MS. BISHOP MOVED THE P&Z BOARD RECOMMEND APPROVAL OF THE REZONING APPLICATION FOR MOORE'S STONE CRAB RESTAURANT FROM R-6SF TO C-1. MR. SYMANSKI SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; BISHOP, AYE; DALY, AYE; GARNER, AYE; HACKETT, AYE; HIXON, AYE; SCHNEIER, AYE; SYMANSKI, AYE; WILD, AYE.

Enclosed, for your review and consideration, please find the following support documentation:

1. Staff Report, dated 2-9-15, PZB Director to P&Z Board;
2. Applicant's Application
3. PowerPoint presentation;
4. Draft minutes from the 2-17-15 regular P&Z Board meeting on this issue; and
5. Ordinance 2015-09.

If you should have any questions, or desire any additional information, please do not hesitate to contact me.

AH/dmc

M E M O R A N D U M

DATE: February 9, 2015

TO: Planning and Zoning Board

FROM: Alaina Ray, AICP
Director - Planning, Zoning and Building Department

SUBJECT: Change of Zoning for 800 Broadway

PROPERTY OWNER: Moore–Hicks Limited Partnership, LLC

APPLICANT/AGENT: Peter Dailey, Dailey Designs, Inc., Agent

SITE LOCATION: 800 Broadway, Longboat Key, Florida

EXISTING FUTURE LAND USE: High Density Single Family/Mixed Residential (RH-6)

EXISTING ZONING: Single-Family High Density Residential (R-6SF)

EXISTING USE: Restaurant

REQUEST: The applicant requests consideration of an application for a Change of Zoning for the property located at 800 Broadway, currently known as Moore's Stone Crab Restaurant, to change the zoning from Single-Family High Density Residential (R-6SF) to Limited Commercial (C-1).

BACKGROUND

The applicant is requesting that the Town Commission approve a change of zoning for the property located at 800 Broadway, currently Moore's Stone Crab Restaurant, from residential to commercial, conditioned upon the Town Commission's approval of the application for a small scale Comprehensive Plan Amendment to amend the Future Land Use Map, accordingly.

The subject property is a bayside waterfront lot located at 800 Broadway. The property is the site of the existing Moore's Stone Crab Restaurant, constructed in 1967. The restaurant building is considered a grandfathered structure in non-compliance with the Federal Emergency Management Agency (FEMA), Florida Department of Environmental Protection (FDEP), and Florida Building Code.

The property is currently designated High Density Single Family/Mixed Residential (RH-6) in the Town's Comprehensive Plan Future Land Use Element (FLU) and Single Family High Density Residential (R-6SF) in the Town's Zoning Code. The applicant has requested the FLU designation revert back to Commercial Limited (CL) and the zoning category be reverted back to Limited Commercial (C-1), which was the historic zoning designation until 2010.

In 2009, the property owner filed an application with the Town requesting the FLU and Zoning be changed from Commercial to Residential. The Planning and Zoning Board recommend denial of the change in September 2009. In February 2010, the Town Commission approved the land use and zoning change by a split vote of four (4) to three (3).

The principal justification provided by the property owner for the requested change was financial consideration. At the time, the applicant suggested that the land use change and rezoning of the property to residential would increase the credit-worthiness of the property to lending institutions, allowing the owners to refinance high-interest loans and continue to operate the restaurant, while also having a sound financial exit strategy in place in case the business became financially unviable.

Based on available information from the previous application and public hearings, it appears there was never any desire or intent, by the property owner, the deciding boards, or the community, for the restaurant to cease operations.

STAFF ASSESSMENT

Consistency with the Comprehensive Plan

The 2007 Town of Longboat Key Comprehensive Plan (Plan), adopted on December 3, 2007, as amended, includes key elements, goals, objectives, and policies that relate directly to the proposed rezoning. In addition to the following specific examples of consistency with the Plan, Staff did not find the proposed rezoning to be inconsistent with any other elements of the Plan and its goals, objectives, and policies.

It is Staff's opinion that, as currently proposed, the existing rezoning is consistent with the intent of Goal 1 of the Future Land Use Element, which states:

> To preserve and enhance the character of the Town of Longboat Key by the following: 1) ensuring that the location, density, intensity and character of land uses are responsive to the social and economic needs of the community and are consistent with the support capabilities of the natural and manmade systems; and, 2) maintaining an environment that is

conducive to the health, safety, welfare, and property values of the community.

Site-specific Conditions

The property is one of two (2) historic waterfront restaurants located in the Longbeach Subdivision. The applicant requests to return the property to the historic commercial land use and zoning that existed before 2010. The 2010 land use and zoning changes isolated the neighboring Mar Vista Restaurant. If the restaurant use were to cease and residential uses were developed on the subject property, the long-term future and viability of the neighboring Mar Vista Restaurant could be jeopardized due to isolation and the encroachment of other uses. Both of these iconic waterfront restaurants have served as the historic commercial center and gathering place for the Longbeach Village area and provides waterfront access to the public, both residents and visitors.

Future Development Opportunities

Currently, the existing restaurant cannot be renovated or reconstructed. In the event of a natural disaster, fire, or other form of destruction, the use would be lost to the community. Changing the zoning classification of the subject property back to commercial would allow this historic waterfront restaurant to renovate/reconstruct to the demands of today's market and allow the use to be replaced if destroyed.

Vision Plan

In addition to the Plan and Zoning Code, the Town has an adopted Vision Plan that acts as a framework for the elected and appointed leaders to consider as they deliberate and decide the matters and policies affecting Longboat Key. The previous changes to the FLU and Zoning for the subject property were done shortly before the adoption of the Vision Plan.

The Vision Plan recognizes waterfront dining as one of the amenities that makes Longboat Key a special place. The Vision Plan also states that the Town will strive to support restaurants on the island, encouraging viability and diversification, as well as waterfront dining options.

The loss of waterfront restaurants in the region has been a continuing trend over the last two (2) decades, in large part due to the steep increase in waterfront residential real estate values during the late 1990's and early 2000's. Many popular waterfront restaurants converted to private residential development, eliminating options for public access to the region's waterfront. Moore's Stone Crab Restaurant has been an historic asset to the community since 1967, by maintaining waterfront and boating access to the public. Loss of this successful use would reduce the number of dining options on

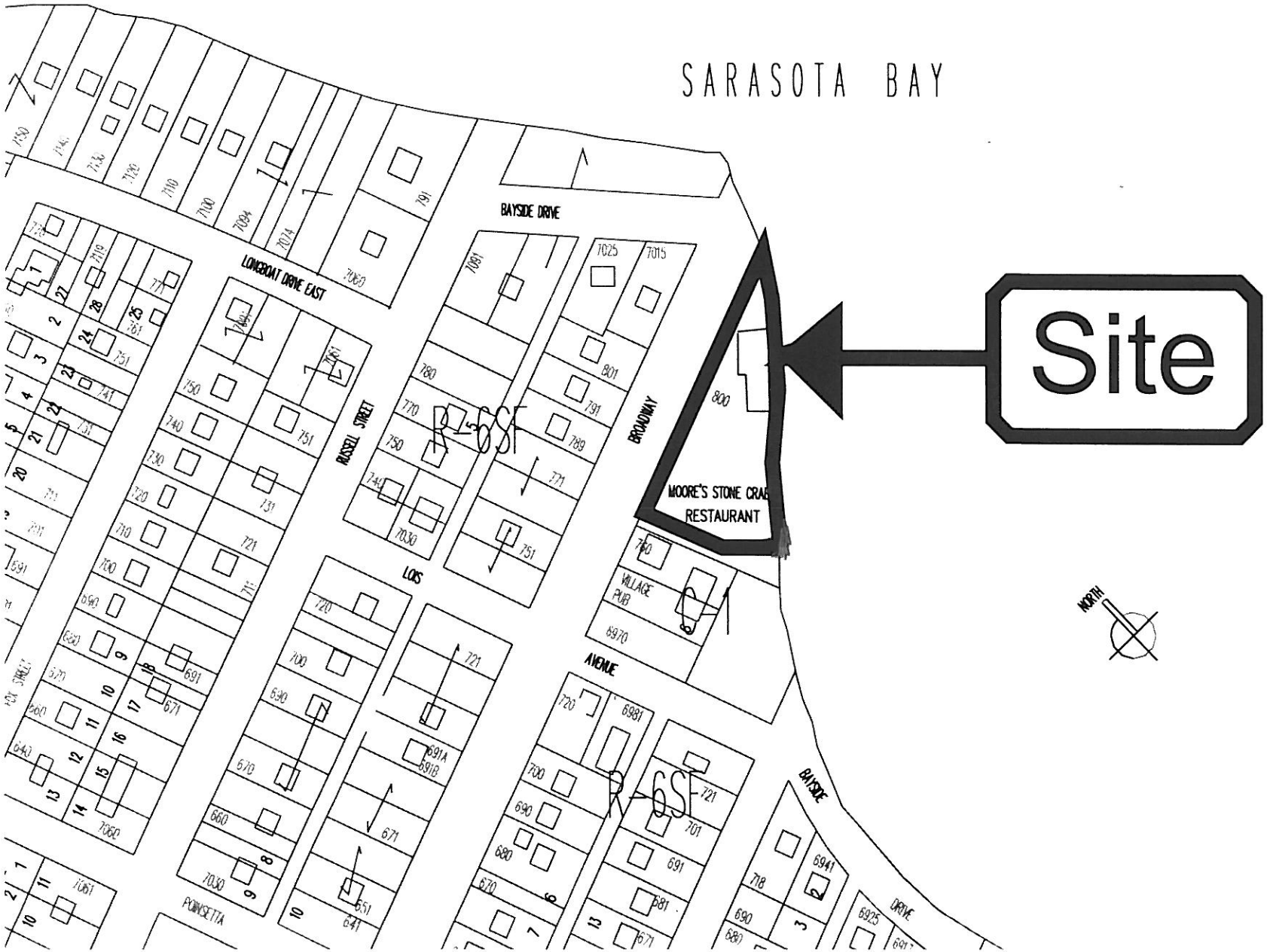
Longboat Key and could result in more residents and visitors travelling off-island for their dining needs. Continuation of a successful restaurant use with waterfront access at this location is consistent with the Town's adopted Vision Plan.

STAFF RECOMMENDATION

Based upon an assessment of the Change of Zoning application, staff recommends **APPROVAL** of the requested change of zoning of the property at 800 Broadway Street from Single-Family High Density Residential (R-6SF) to Limited Commercial (C-1), through the adoption of Ordinance 2015-09. The approval of the change of zoning is contingent upon the adoption of the Plan amendment changing the future land use to Limited Commercial (CL) and the mandatory 30-day post-adoption comment period.

ATTACHMENTS

Attached, please find a copy of the Moore's Restaurant Change of Zoning application upon which the staff assessment has been based.


SARASOTA BAY
Site
BAYSIDE DRIVE
LONGBOAT DRIVE EAST
RUSSELL STREET
BROADWAY
LOIS
AVENUE
BAYSIDE
DRIVE
POINSETTIA
R-6SF
R-6SF
MOORE'S STONE CRAB
RESTAURANT
VILLAGE
PUB
NORTH

REZONE APPLICATION

MOORE"S STONE CRAB RESTAURANT

TOWN LONGBOAT KEY

PREPARED FOR
MOORE'S STONE CRAB RESTAURANT
800 Broadway Street
Longboat Key, Florida

PREPARED BY
DAILEY DESIGN GROUP, INC.
3941 BUTLER AVE
SARASOTA, FLORIDA 34234

RECEIVED
JAN 29 2015
Longboat Key
Planning & Zoning

January 16, 2015

INDEX

	Page
REZONE APPLICATION	3
NARRATIVE	6
HISTORY	7
ATTACHMENT CHECLIST AND CRITERIA	8
ADDITIONAL ZONING INFORMATION • Description of the Proposed Activity • Analysis of Coastal Activities • Zoning Consistency • Existing Non Conformities	13
ATTACHMENT 1 NEIGHBORHOOD WORKSHOP MINUTES AND ATTENDEES LIST	15
ATTACHMENT 2 VERIFIED STATEMENT CERTIFICATE OF OWNERSHIP/ PROPERTY OWNER AFFIDAVITS	18
ATTACHMENT 3 SURVEY	23
MAPS	
• **ATTACHMENT 4**-Proposed Future Land Use Plan Map Designation -500'	24
• **ATTACHMENT 5**-Current Land Use – 500'	25
• **ATTACHMENT 6**-Existing Future Land Use Plan Map Designation - 500'	26
• **ATTACHMENT 7**- Existing Zoning Map – 500'	27
• **ATTACHMENT 8**- Proposed Zoning Map – 500'	28
• **ATTACHMENT 9**-AERIAL	29
ATTACHMENT 10 PUBLIC WORKS IMPACT LETTER	30

Planning, Zoning & Building Department (941) 316-1966
501 Bay Isles Road
Longboat Key, Florida 34228
Fax Number: (941) 373-7938
Web: http://www.longboatkey.org

APPLICATION FOR CHANGE OF ZONING

Date: NOVEMBER 25, 2014

A. Property Information

Property Legal Description: Lots 1, 2, 3 + N½ 4, Block 1 Long Beach Replat of Long Beach Recorded in Plat Book 1 pg 36

Section: 15 Township: 35 S Range: 16 E

Subdivision Name: Long Beach Lot: 1, 2, 3, N½ 4 Block: 1

Site Address: 800 Broadway St. LBK Fl 34228

Present Zoning Classification: R-6SF Present Future Land Use Classification: RH-6

Proposed Zoning Classification: C-1 Proposed Future Land Use Classification: CL

Property Size (to the nearest tenth of acre or square foot): .89 AC (38808 S.F.)

Existing Use(s) of Subject Property (i.e.: vacant, residence, commercial, etc.) COMMERCIAL RESTAURANT - 185 SEAT

Surrounding Land Use(s) (i.e.: vacant, residence, commercial, etc.):

a. North: Broadway St + S.F. RES.
b. South: Sarasota Bay
c. East: Sarasota Bay
d. West: Commercial Restaurant + Single Family Res.

At minimum all application submittals shall include the following supplemental materials and information:

- Description of the proposed activity or use and square footages shall be included with the application form.
- Analysis to substantiate the potential coastal/environmental impacts and constraints.
- Analysis of the consistency of the proposed zoning classification with the surrounding area and land uses.
- Description and itemization of existing non-conformities on the subject property.

B. Names/Addresses

List all person(s) having ownership in subject property

1. Name of Property Owner: MOORE-HICKS LIMITED PARTNERSHIP LLC
Address: 800 BROADWAY ST.
City, State & Zip: LONG BOAT KEY FL 34228
Telephone: 941-383-1748 Fax: 941-383-7796
Telephone 2: Mobile:

2. Name of Property Owner: ALAN MOORE
Address: 4536 60th ST. COURT W
City, State & Zip: BRADENTON, FL 34210
Telephone: 941-798-9215 Fax: 941-383-7796
Telephone 2: Mobile:

3. Name of Property Owner: ROBERT HICKS
Address: 5302 36th AVE DR. W
City, State & Zip: BRADENTON FL. 34209
Telephone: 941-761-3280 Fax: 941-383-7796
Telephone 2: Mobile:

4. Name of Agent: PETER M. DAILEY
(Agent is person who has been appointed by the property owner to represent in processing of the application)
Name of Company: DAILEY DESIGN GROUP
Address: 3941 BOTTLE AVE
City, State & Zip: SARASOTA, FL. 34234
Telephone: 941-302-1500 Fax:
Telephone 2: Mobile: 941-302-1500

5. Name of ~~Engineer~~ PROPERTY OWNER: MARY J. MOORE
Name of Company: MOORE'S STONECRAB RESTAURANT
Address: 800 BROADWAY ST.
City, State & Zip: LONGBOAT KEY FLORIDA 34228
Telephone: 941-383-4810 Fax: 941-383-7796
Telephone 2: Mobile:

6. Name of Architect: _____
   Name of Company: _____
   Address: _____
   City, State & Zip: _____
   Telephone: _____ Fax: _____
   Telephone 2: _____ Mobile: _____

7. Name of ~~Landscape Architect:~~ PROPERTY OWNER PAUL T. MOORE
   Name of Company: MOORE'S STONECRAB RESTAURANT
   Address: 800 BROADWAY STREET
   City, State & Zip: LONGBOAT KEY FL 34228
   Telephone: 941-383-7810 Fax: 941-385-7796
   Telephone 2: _____ Mobile: _____

NOTE: UNLESS OTHERWISE NOTED, ALL WRITTEN CORRESPONDENCE WILL BE MAILED TO THE AGENT. IF THERE IS NO AGENT, COMMENTS WILL BE SENT TO THE PROPERTY OWNER(S).

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing the subject type of development will be complied with whether specified herein or not, the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state or local law regulating construction or the performance of construction.

Applicant's Signature: _____ **Date:** 11-25-14
(If applicant is not the property owner, a property owner affidavit will be required)

ALAN L MOORE
(Please print or type name)

FOR STAFF USE ONLY

Application Fee: $ 3000.00 deposit* Receipt # _____
(Application fee of $900 will be deducted from deposit)

Application and Plans Accepted By: _____ Date: _____

File Code/Number: _____

**Deposit required at time of formal submission*

At the conclusion of your plan review by the Town, you will be billed for additional staff time, Town Attorney cost, cost of advertising, and any other miscellaneous costs incurred with the processing of your application(s). Costs will be deducted from initial deposit. If costs exceed the initial deposit, you will be billed for the remaining costs incurred; or you will be refunded the unused portion of the deposit.

ADDITIONAL ZONING INFORMATION

Description of Activity

The proposed rezoning is to allow the existing Moore's restaurant an iconic and historic Restaurant on Longboat Key to be renovated and updated while protecting the investment from disaster. Currently, the Restaurant is being operated as a non-conforming use and if a fire or hurricane or other disaster should befall the facility it could not be rebuilt. The Restaurant occupies 3 and ½ lots that comprise in the Long Beach Subdivision. The Restaurant was rezoned and the Future Land Use changed five years ago from Commercial C-1 and CL respectively in order to have a ten year exit strategy for the Moore -Hicks Partnership group, and solve credit issues related to ongoing operations. At the time, financing based on commercial restaurant uses was extremely difficult to obtain. It was the intent of the Restaurant owners to continue to operate as a restaurant for as long as they can. A new investor group will join forces with the Moore-Hicks Partnership. This group is the Carrijulo Group and Tom Leonard who own four upper end restaurants in the Sarasota Area. These are Carrijulos, The Shore, Owen's Fishcamp and Nancy's BBQ.

The zoning request is C-1 Limited Commercial which is the zoning the property held for 43 plus years. The current Restaurant is approximately 6,600 s.f. and is a single story wood frame structure. The Restaurant is currently permitted for 185 seats and we are not seeking to increase seating in the proposed renovations.

Analysis of Coastal Impacts

The owners are concurrently processing a Variance to allow the Restaurant to remain in the same footprint it now occupies. The setbacks to the waterfront and the street would limit any reconstruction of the restaurant to a very small area in the middle of the site. The Moore-Hicks/Carrijulo Group wish to renovate and update the Restaurant and in order to pour substantial resources into the project they need to know they will be dealing with the current size of the Restaurant protected by the new zoning if they should have to rebuild.

The current shore line is rip-rap which is considered a hard shoreline. This will not change. There is a large dock structure which currently serves the boating patrons who use the water to access the Restaurant. Once rezoned if the restaurant continues to operate the restaurant and the dock structures will be considered non-conforming. The current dock system will be upgraded and possible reconfiguration to allow for easier access for the boating public to utilize the Restaurant. The improvements will be noted on the Proposed Site Plan which will be filed in Feb. 2015. The bay bottom is State owned and there are land leases in place to allow the current docking facilities.

REZONE
NARRATIVE – MOORE'S STONECRAB RESTAURANT

REZONE-C-1

PURPOSE

The request is to rezone the property to C-1 which is the zoning district that the property held from 1967 until several years ago. The Owner's, Moore's–Hicks Partnership, LLC, changed the Future Land Use Plan Designation and Zoning from CL Commercial Limited and C-1 Commercial, respectively, to Residential RH-6 and RSF-6 several years ago in order to have an exit strategy for the family, and to allow continuation of the Restaurant with bank financing behind the value of the lot and Restaurant. The Owner's, along with an investor group, the Carrijulo Group and Tom Leonard desire to renovate and upgrade the Restaurant to guarantee that the iconic and historic waterfront Restaurant remains as a restaurant. The Carrijulo Group/ Leonard own four upscale restaurants in Sarasota.

The C-1 zoning category has the following standards:

Item	Requirement	Subject Site
Minimum Lot Area	10,000 s.f.	38,808 s.f.
Lot Minimum Width	75 feet	329.36 feet
Lot minimum depth	125 feet	182.40 feet
Maximum Gross Density	N/A	N/A
Minimum Street Yard	45 feet	20 feet
Minimum side yard	15'/15' b. (min)	146'/75'
Bulk minimum floor area	N/A	N/A
Minimum rear yard	20 feet (min bayfront 50')	0'
Bulk maximum height	2 story /30'	25'
Bulk maximum coverage	30%	18% +/-

The intent of the district and allowable uses in C-1 Zoning are as follows: Limited Commercial District (C-1)—Established for commercial sites accessible to major thoroughfares near residential neighborhoods. Such development is intended to provide essential tourist or household services in locations highly accessible to residential areas. For instance, sites within this district are intended to accommodate neighborhood shops with limited inventory or goods as well as selected resort commercial uses. Such shops generally cater to the following markets: 1) neighborhood residential markets within the immediate vicinity as opposed to town-wide or regional markets; 2) a specialized market with customized market demands; or 3) a tourist- or resort-oriented market in the immediate vicinity.

Commercial development within this district shall generally be restricted to any uses which are permitted in the office-institutional (OI) designated areas as well as the following uses: Neighborhood convenience stores; small limited item shops and stores restricted to retail sales of convenience items and services including, barber, beauty care, and other

personal services; small-scale drugstores, laundry and dry cleaning pickup stations; florist shops and other specialty shops; and small-scale tourist-oriented activities associated with safeguarding the stability and integrity of adjacent residential areas.

Areas designated for limited commercial development are not intended to accommodate large-scale retail sales, service and market. Such stores would usually differ from limited commercial shops since the former would usually require a large floor area, carry a relatively larger inventory and require a substantially greater parking area. Uses which are not permitted within the limited commercial district include, but are not limited to the following: Large-scale discount stores; health spas; supermarkets; department stores; wholesale and warehousing activities; general appliance shops; printing shops; sales, service or repair of motor vehicles; machine equipment or accessory parts, including tire and battery shops, gas and automotive service centers; commercial amusements; lawn and garden centers and plant nurseries; fast-food establishments primarily serving in disposable containers and/or providing drive-in facilities; and other similar services to be expressly defined in the zoning regulations of this chapter. (FROM ZONING CODE)

HISTORY

Moore's Stone Crab Restaurant was opened in 1967 with ten tables by Pete and Hugh Moore. Through the years there have been several expansions to what the restaurant is today with the last major renovation/remodel in October of 1990.

When the restaurant was first opened, the neighborhood was mostly single family homes with many kids and animals. In the 1970's there were a great many Mom and Pop type motel/hotels develop on the island. Additionally, the Holiday and Hilton Hotels were constructed. This created a climate with a great mix of tourist and residential customers. With the real estate booms in the eighties, nineties and early 2000's the property values rose so dramatically that many of the motel/hotels were converted to condominiums. The Holiday Inn closed and it too was converted to condominiums. The conversion to condominiums created a more seasonal trade for the island in general and specifically in the north end where Moore's is located. The immediate neighborhood, called the "Village" still remains as a strong neighborhood Association. They desire to keep the Moore's Restaurant in place as a restaurant. (See minutes from Village Association Workshop and attendees list held on November17, 2014, ATTACHMENT 1 pages 15 and 16 through 17).

The Moore's Stone Crab Restaurant is one of the only restaurants on the island that is not in a plaza, marina or hotel. The restaurant can not be seen from Gulf of Mexico Drive.

Critical facts and issues relating to the rezone request:

1. In March of 2006 the Moore's were successful in having a referendum approved by the voters on Long Boat Key to allow consideration of changing the land use

and zoning of the restaurant from Commercial Limited, (CL) and Commercial Zoning, (C-1) to Single Family Residential with a maximum density not to exceed 4 dwelling units per acre. The majority of the area surrounding the restaurant in the Long Beach Subdivision was platted at R-6SF or 6 dwelling units per acre. Moore's Restaurant occupies 3 ½ lots of the Long Beach Subdivision which was platted in January of 1914. The Restaurant was constructed in 1967 prior to the current zoning regulations that control what and how development can occur on the property.

ATTACHMENTS CHECK LIST AND CRITERIA

A. *Provide the reason for the request to demonstrate how the change benefits the applicant and how the change benefits the town.*

The reason for the requested zoning change is to allow the current Owner's, the Moore-Hicks Partnership, LLC, to allow the Moore's Stone Crab Restaurant to remain as a restaurant. It is an iconic and historic waterfront restaurant on the Key. Several years ago when the economy was tanking the value of commercial property at the north end of the Key was struggling. The Moore family was trying to calculate an exit strategy while trying to retain the restaurant as a viable business. They have done what they committed to do, namely keep the restaurant operational. The Moore Group now has a very successful restaurant group in Sarasota who wants to invest in renovating and upgrading the Restaurant, but are not willing to commit to major funding if the investment is not secure. Under current Land Use Designation and Zoning if something were to happen to the Restaurant it could not be re-built and even renovations would be limited because of the residential FLUP designation and zoning.

B. *Verified statement, including a certificate of ownership, showing each and every individual person having a legal ownership, interest in the subject property except publically held corporations whose stock is traded on a nationally recognized stock exchange, in which case the names and addresses of the corporation principals executive officers will be sufficient. If the applicant is a contract purchaser, provide a copy of contract.*

A Verified Statement and Certificate of Ownership' forms have been executed and are attached in pages 18 through 22, ATTACHMENT 2.

C. *A land survey completed within the prior two years with a complete legal description prepared and certified by a registered surveyor, provided at a reasonable scale.*

A signed sealed copy of the survey recertified on November 29, 2014, ATTACHMENT 3 page 23.

D. Map or Maps showing:

1. Proposed Land Use Map designation of the subject parcel.

See ATTACHMENT 4, Proposed Land Use Map Designation page 24.

2. Current Future Land Use Map designation of the subject property and all abutting.

A Current Land Use Map is attached as ATTACHMENT 5, page 25.

3. Existing Land Use (e.g. house, commercial, vacant) of subject parcel and all properties within 500' radius of subject parcel. Include a description of all structures on the property.

The Existing Land Use for the land is a restaurant with dock facilities. Attached on page 26 is an Existing Land Use Map, ATTACHMENT 6 with land uses identified for 500 feet radius from the site.

4. Existing Zoning Districts for the subject parcel and all abutting properties.

Attached is an Existing Zoning Map, ATTACHMENT 7 page 27.

5. Proposed Zoning District for the subject parcel.

The proposed Zoning is indicated on the attached ATTACHMENT 8, entitled Proposed Zoning page 28.

6. Relation of the subject property to the surrounding area. Indicate a 500' radius from property boundary out. Label all roads, streets, alleys, neighborhoods, and other identifiable landmarks.

The restaurant is located at the east end of Broadway Boulevard on the Bay front. There are three and one half platted lots which were platted in January of 1914. The physical address of the restaurant is 800 Broadway Boulevard.

The land area to the south and east is Sarasota Bay. The land uses to the north are Broadway Street and single family homes. The land use to the west is the Pub at the Mara Vista Restaurant. Essentially, the Broadway Boulevard used to be Main Street of the Long Beach Subdivision. Over time since the Plat was approved the vast majority of the lots were constructed with single family homes. Several of the lots were constructed with non-residential uses including the Mar Vista and Moore's Stone Crab restaurants at the east end. The Chamber of Commerce, Gas Station and Real Estate office at the west end of the street adjacent to Gulf of Mexico Drive were constructed later in the 80's and 90's. See attached Existing Land use ATTACHMENT 6 page26.

7. All existing and proposed curb cuts.

The restaurant has three existing curb cuts on Broadway which are indicated in the survey ATTACHMENT 3, page 23. The Owners intend to continue to operate the Restaurant and with the new investors plan to retain the three curb cuts as access to the Restaurant.

E. *Describe the property and its characteristics. Include:*

1. *Most recent aerial photograph of the site showing boundaries, adjacent land uses, roads, alleys, neighborhoods, and other identifiable landmarks.*

An aerial ATTACHMENT 9, page 29 is attached indicating the surrounding land uses in the neighborhood.

2. *Tabulations by acreage and percentage as to the amount of the site that is uplands and wetlands, indicating those wetlands landward and seaward of the mean high water line. Additional related information should include the extent and type of wetlands in accordance with the town's Comprehensive Plan.*

The subject site is all upland area with the waterfront area being hardened shore line with riprap and docking structures. The uplands or the entire site is 38,808 square feet or .89+/- acres. The existing dock area is 3,816 s.f.

3. *Does the subject parcel contain any plant or animal species with special status, or rare threatened or endangered species of special concern? (e.g. Mangrove, Gopher Tortoise, Scrub Jay, Indigo Snake, Bald Eagle, Florida Coontie).*

There is no plant or animal species with special status, or rare threatened or endangered species of special concern. The entire site is a man altered developed site.

4. *Environment. Please check ALL habitats found on the property.*

_____ *Canal (fresh water)*	_____ *Mangrove Swamp*
_____ *Canal (salt water)*	_____ *Marshes and Sloughs*
_____ *Coastal Hammock*	_____ *Coastal Streams*
_____ *Scubby Flatwoods*	__X__ *Other (explain)***Developed Site**
_____ *Indian Mounds*	

5. *How will species or habitats be protected or managed?*

N/A

F. *Concurrency. An analysis of all applicable Level of Service (LOS) elements in the Town's Comprehensive Plan. Analysis shall indicate how the proposed development will impact the Town's Infrastructure. Analysis shall include, but not be limited to: Schools, Transportation, Potable Water, Sanitary Sewer, Solid Waste, Recreation and Open Space and Drainage.*

The Small Area Plan Amendment and Rezone from residential back to commercial will have the same impacts that currently exist for the property. The Restaurant is permitted for 185 seats and there are no plans to increase the number of seats in the renovations for the restaurant. The owners desire to have several outside tables to be located along the water on the east end of the restaurant building. These tables will be moved from inside the restaurant.

The traffic on Broadway will remain as it is today. The Restaurant based on size of the restaurant generates approximately 250 daily trips and 24 pm peak hour trips. The road network is capable of handling the traffic as it is considered background, and has been in existence for 48 years. Drainage will be improved with the stipulation from the Public Works Department that the runoff from the parking lot needs to be attenuated prior to discharge into the street drainage and eventually into the Bay.

G. *Identification of any capital Improvements necessary to maintain the adopted LOS.*

There will be no Capital Improvements necessary to maintain adopted LOS.

H. *Utilities.*

1. *Provide a letter from the Public Works Department stating that there is adequate capacity to serve the property utilizing the most intense allowable land use under the proposed zoning district. If insufficient utility capacity is determined, describe how adequate capacity will be provided.*

Attached is a letter from the Utility Director Mr. Juan Florensa stating that there is sufficient capacity to continue to serve the existing Restaurant for water and sewer impacts. See ATTACHMENT 10, page 30.

2. *Fire Hydrant_____feet.*

There is an existing fire hydrant 230 feet west of the restaurant property located on the northwest corner of Lois Street and Broadway Boulevard. There is also a Hydrant located in the south west corner of Bayside Street and Linley. This hydrant is approximately 280 feet from the restaurant site.

I. *Is there any known Historical or Archeological sites on the property?*

There are no known Historical or Archeological sites on the property.

J. *In which FEMA flood zone is the property located.*

According to Community Panel No.1251260001-0010, April 1992 the subject property is A-13 zone Base elevation 10 requiring a finished floor of 11 feet by the Town above mean high sea level to qualify for flood insurance. The Restaurant building itself can have a finished floor which can be below the Freeboard Level as long as the area of the building below is floodproofed. The manner of how the building will be floodproofed will be detailed in the Site Plan which will be filed in Feb.

K. *Is the property subject to localized flooding or standing water? If so, please describe the on-site and off site impacts.*

There is no record of structure flooding for the subject property based on review of Structure flood insurance reporting.

L. *What is the hurricane storm surge Category?*

The restaurant site is not located in a Storm surge category, however the entire Island is within a Coastal High Hazard Area Designation.

M. *Hurricane evacuation information based on the proposed amendment, considering the number of persons requiring evacuation, availability of hurricane shelter spaces and evacuation routes.*

The Hurricane evacuation route is Gulf of Mexico Drive to Cortez Road, (State Road 70) east to I-75.

The bay bottom is State owned and there are land leases in place to allow the current docking facilities.

The current dock structure is a system which encloses a pool area then has an easterly leg running out into the Sarasota Bay allowing some 30 slips for patrons to dock while dining in the restaurant. The dock structure is 520 feet in length. The average width is 5 feet+/-. The total coverage by the current dock structure is 3,818 square feet. During the renovations there will be changes to the docking facilities which will be permitted through the proper State and local agencies.

The current dock structure is a system which encloses a pool area then has an easterly leg running out into the Intercoastal bay allowing some 30 slips for patrons to dock while dining in the restaurant. The dock structure is 520 feet in length. The average width is 5 feet+/-. The total coverage by the current dock structure is 3,818 square feet.

ZONING CONSISTENCY

As stated above the requested zoning is C-1 Limited Commercial. This is the same zoning that the property had for some 40 years before the change to residential zoning several years ago. The Moore's Stonecrab Restaurant sits at the east end of Broadway, formerly Main Street of the Long Beach Subdivision and the Villages area of the Key. The intent was to allow a mix of residential and commercial uses in a village type atmosphere. The Restaurant is located within easy walking distance of the large population of the Long Beach area.

The parcel immediately to the west of the Restaurant parcel is an existing Pub and restaurant called the Mar Vista. On that property is an existing single family home which is registered on the historic registry and will remain as a residence. The land use to the north east and north of the subject property are developed with single family homes on R-6SF zoned property. The land use to the south is Intercoastal Bay.

EXISTING NON-CONFORMITIES

The Restaurant was originally constructed on residentially platted lots. When zoning came into being the Restaurant was zoned to commercial and in the first Comprehensive Plan under State Rules and Regulations in the early 1980's the Property was designated for Commercial on the Future Land Use Map. Given the History of how and when the property was developed as a Restaurant there are several non-conformities. The building is setback only 20 feet from Broadway. The building has minimal setback to the Intercoastal Waterway. Again, the Owner's will be processing a Variance to allow these setbacks to remain in place.

MINUTES- Neighborhood Workshop November 17, 2014 held at Moore's Stonecrab Restaurant, 800 Broadway Street 6:00 pm

All members of the Village Association were notified by email that a Neighborhood Workshop would be held.

Alan Moore opened the meeting at 6:00 pm. He stated that with new investment by the Carrijulo Group and Tom Leonard , owners of four upscale restaurants in Sarasota, the owners of the Moore's Restaurant were planning to renovate the restaurant and dock structure. In order to protect the investment in the event of a disaster such as a fire the investors need to be assured that they can rebuild. In order to guarantee that situation the Restaurant needs to be returned to Commercial land use in the FLUP Map for the Town and the zoning needs to be returned to C-1 commercial zoning. The Carrijulo Group and Leonard own Carrijulos, Owen's Fish Camp, Nancy's BBQ and the Shore.

Mr. Moore and Mr. Dailey stated that the Restaurant will stay at 185 seats which is the current permitted seating and that the renovations will stay within the footprint of the current building.

Q. Will the building go up?
A. There are no current plans to go up, but if required to meet minimum flood elevation the building may have to go up several feet or be totally flood proofed.

Q. Will you be seeking outside dining?
A. Yes, as part of the Site Plan process a Special Exception will be processed to allow outdoor dining, but again not increasing the seating.

Mr. Moore explained that the rationale for changing to residential was to frame a ten year exit strategy and to guarantee values to aid in financing to retain the Restaurant.

Several people stated that they were very glad to be informed of the plans for the Restaurant and the entire crowd present clapped.

The meeting adjourned at 6:30.

Guests from Village Who Joined Us
For Our Presentation of Future Plans

MOORE'S STONE CRAB RESTAURANT

NAME	ADDRESS
Larry Grossman	783A St. Judes Dr. N LBK
Judy & Bill Garner	6901 Poinsettia Ave, LBK
Ruth + Bob Gray	791 Broadway
PAT & ED ZUNZ	677 Lands End DR WE LBK
PAUL & SHIRLEY MYERS	700 BROADWAY
Chris & Cheryl Jatreau	ctatreau@rcn.com
Pete Walker	7061 LONGBOAT DR E
Bus Fischer	621 Linley Street
TOM BARNUM + JENNIFER	660 RUSSELL
Joe + Mary Mazza	6941 Poinsettia
Mary Jo Williams	601 Russell
Carla Rowan	601 BROADWAY
Pete Rowan	601 Broadway
Allan Sulka	6890 Longboat DR S
Virginia Sulka	" " "
Chris & Green Turney	6900 Longboat DR S
Linda Lynch	6900 Poinsettia Ave
Mike & Patty McNulty	6925 Bayside Dr.
Craig + Georgia Walters	690 Hibiscus Way
Fred & Carol Kaji	700 Russell St.
WINNIE NELON	6515 BAYOU HAMMOCK DR
Ken Weiss	701 BWY
Romana Rainey	
Russell Pope	6940 Longboat Dr S

Village Guest Who Joined Us For
Our Presentation Of Future Plans

NAME	ADDRESS
Andrew Vaz	595 Bay Eles Road
Daniel A Miller	6850 Pine St
Lucile Miller	" "
Susan Pitt	7170 Longboat Dr. N.
Cheryl Fraser	7157 Longboat Dr. N.
Wayne Murray	7181 Longboat Dr. N.
Oksana Yashuk Hepburn	7164 LBDR. N.
Bob/Shirley Noyes	610 Fox Street
Steve Harris	6960 Longboat Dr. S
Scott + Cindy Anderson	6889 Poinsetta Ave.
Wm Ed Diem	6888 Poinsetta Ave
Shawn O[illegible]	6997 Longboat Dr S
Craig & Cathy Meldahl	681 Magnolia Road
Stephen Garrod + Patricia MacDonald	750 Russell St. Village
Michael & Amy Drake	6821 Longboat Dr. S. LBK.
Christopher Carman	6901 Poinsetta Ave LBK 34228
Chantal Diem	6888 Poinsetta Ave.
Amy Drake	6821 Longboat Dr S LBK 34228
Christine Tussey	6900 Longboat Dr. S. LBK 34228
David & Liza Kroth	720 Russell St.

Planning, Zoning & Building Department **(941) 316-1966**
501 Bay Isles Road
Longboat Key, Florida 34228
Fax Number: (941) 373-7938
Web: http://www.longboatkey.org

VERIFIED STATEMENT AND CERTIFICATE OF OWNERSHIP

Pursuant to Sections 158.095 and 158.097(C), Town of Longboat Key Town Code, I am submitting the following Verified Statement and Certificate of Ownership. This Verified Statement and Certificate of Ownership reflects each and every individual person having a legal ownership, interest in the subject property except publicly held corporations whose stock is traded on a nationally recognized stock exchange, in which case the name and address of the corporation and principal executive officers will be sufficient.

I hereby verify and certify that as of Nov. 25th 2014 (date), the following are all persons and/or entities having a legal ownership interest in the real property located at 800 Broadway St. Longboat Key, Fl- 34228 (legal address)

Property Owners and/or shareholders:

1. [signature] 2. Paul Moore
3. [signature] 4. Mary J Moore
(Please attach additional sheets if necessary)

The undersigned does hereby state under oath that the foregoing information is true and correct.

[signature]
Signature

ALAN L MOORE
Print Name

OWNER
Title

State of FLORIDA

County of MANATEE

The foregoing instrument was acknowledged before me this Nov. 25th, 2014, by ALAN L. MOO ROBERT J. HICKS and MARY J. MOORE (name and title), who is ARE personally known to PAUL MOORE me or who has produced _____ as identification.

[signature]
Signature of Notary

TERRIE A. PAQUIN
Print Name of Notary

(seal of Notary)

NOTARY PUBLIC STATE OF FLORIDA
TERRIE A. PAQUIN
MY COMMISSION # FF 094946
EXPIRES: March 14, 2018
Bonded Thru Budget Notary Services

Please print and fax or mail completed form

TOWN OF LONGBOAT KEY
PLANNING ZONING BUILDING
561 Bay Isles Road
Longboat Key, FL 34228
Phone: 941/316-1966 FAX: 941/316-1970

Property Owner Affidavit

Planning Department
Authorized Agent

(I)(We) Alan L. Moore, as owner(s) of the property whose address and legal description is 800 Broadway St. Longboat Key Fl. 34228, hereby appoint Peter M Daily our _____ (agent(s) to act on (my)(our) behalf for the request set forth below. (I)(we) understand that the agent may incur costs and expenses on our behalf in connection with (my)(our) request and agree to pay those fees and expenses in accordance with the Code of Ordinances of the Town of Longboat Key.

The nature of (my)(our) request is REZONE (Variance, Zoning Determination, Special Exception, etc.)

Alan Moore
Print or Type Property Owner's Name

Signature of Property Owner

Print or Type Property Owner's Name

Signature of Property Owner

Mailing Address of Property Owner(s): 4536 60th St. Ct. W.
Bradenton, Fl. 34210

941-798-9215
Telephone Number of Property Owner(s)

941-383-7796
Fax Number of Property Owner(s)

Mailing Address of Agent(s): Peter M Daily AICP
3941 Butler Ave. Sarasota, Fl. 34234

941-302-1500
Telephone Number of Agent(s)

Fax Number of Agent(s)

STATE OF Florida
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 25th day of Nov., ~~2003~~ 2014, by Alan L. Moore, Owner(s) for and on behalf of whom this instrument was executed.

Notary Public State of
Typed Name:
Commission Expires:
Commission No.:

LYNDA D. HICKS
Notary Public - State of Florida
My Comm. Expires Aug 20, 2015
Commission # EE 80047
Bonded Through National Notary Assn.

Personally Known ✓
OR Produced Identification
Type of Identification Produced _____

Please print and fax or mail completed form

TOWN OF LONGBOAT KEY PLANNING ZONING BUILDING 561 Bay Isles Road Longboat Key, FL 34228 Phone: 941/316-1966 FAX: 941/316-1970	**Property Owner Affidavit** Planning Department Authorized Agent

(I)(We) Robert J. Hicks, as owner(s) of the property whose address and legal description is 800 Broadway St. Longboat Key Fl. 34228 hereby appoint Peter M Dailey our _____ agent(s) to act on (my)(our) behalf for the request set forth below. (I)(we) understand that the agent may incur costs and expenses on our behalf in connection with (my)(our) request and agree to pay those fees and expenses in accordance with the Code of Ordinances of the Town of Longboat Key.

The nature of (my)(our) request is REZONE (Variance, Zoning Determination, Special Exception, etc.)

ROBERT HICKS
Print or Type Property Owner's Name

Signature of Property Owner

Print or Type Property Owner's Name

Signature of Property Owner

Mailing Address of Property Owner(s): 5302 36th Ave. Dr. W. Bradenton, Fl. 34209

941-761-3280
Telephone Number of Property Owner(s)

941-383-7796
Fax Number of Property Owner(s)

Mailing Address of Agent(s): Peter M. Dailey 3941 Butler Ave. Sarasota, Fl. 34234

941-302-1500
Telephone Number of Agent(s)

Fax Number of Agent(s)

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 25th day of Nov., 2014, by ROBERT HICKS, Owner(s) for and on behalf of whom this instrument was executed.

TERRIE A. PAQUIN
MY COMMISSION # FF 094946
EXPIRES: March 14, 2018
Bonded Thru Budget Notary Services

Notary Public State of _____
Typed Name: _____
Commission Expires: _____
Commission No.: _____

Personally Known x yes
OR Produced Identification
Type of Identification Produced _____

Please print and fax or mail completed form

TOWN OF LONGBOAT KEY
PLANNING ZONING BUILDING
561 Bay Isles Road
Longboat Key, FL 34228
Phone: 941/316-1966 FAX: 941/316-1970

Property Owner Affidavit

Planning Department
Authorized Agent

(I)(We) Paul T Moore, as owner(s) of the property whose address and legal description is 800 Broadway St. Longboat Key, Fl. 34228, hereby appoint Peter M Dailey our _____ agent(s) to act on (my)(our) behalf for the request set forth below. (I)(we) understand that the agent may incur costs and expenses on our behalf in connection with (my)(our) request and agree to pay those fees and expenses in accordance with the Code of Ordinances of the Town of Longboat Key.

The nature of (my)(our) request is REZONE (Variance, Zoning Determination, Special Exception, etc.)

Paul Moore
Print or Type Property Owner's Name

Signature of Property Owner

Print or Type Property Owner's Name

Signature of Property Owner

Mailing Address of Property Owner(s): 6833 Pine St.
Longboat Key, Fl. 34228

941-383-4810
Telephone Number of Property Owner(s)

941-383-7796
Fax Number of Property Owner(s)

Mailing Address of Agent(s): Peter M Dailey AICP
3941 Butler Ave. Sarasota, Fl. 34234

941-302-1500
Telephone Number of Agent(s)

Fax Number of Agent(s)

STATE OF Florida
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 25th day of Nov., ~~2003~~ 2014, by Paul Moore, Owner(s) for and on behalf of whom this instrument was executed.

Notary Public State of
Typed Name:
Commission Expires
Commission No.

LYNDA D. HICKS
Notary Public - State of Florida
My Comm. Expires Aug 20, 2015
Commission # EE 90647
Bonded Through National Notary Assn.

Personally Known ✓
OR Produced Identification
Type of Identification Produced _____

Please print and fax or mail completed form

TOWN OF LONGBOAT KEY
PLANNING ZONING BUILDING
561 Bay Isles Road
Longboat Key, FL 34228
Phone: 941/316-1966 FAX: 941/316-1970

Property Owner Affidavit

Planning Department
Authorized Agent

(I)(We) Mary J. Moore, as owner(s) of the property whose address and legal description is 800 Broadway St Longboat Key, Fl. 34228, hereby appoint Peter M Dailey our _____ agent(s) to act on (my)(our) behalf for the request set forth below. (I)(We) understand that the agent may incur costs and expenses on our behalf in connection with (my)(our) request and agree to pay those fees and expenses in accordance with the Code of Ordinances of the Town of Longboat Key.

The nature of (my)(our) request is REZONE (Variance, Zoning Determination, Special Exception, etc.)

MARY MOORE
Print or Type Property Owner's Name

Mary J Moore
Signature of Property Owner

Print or Type Property Owner's Name

Signature of Property Owner

Mailing Address of Property Owner(s): 6833 Pine St.
Longboat Key, Fl. 34228

941-383-4810
Telephone Number of Property Owner(s)

941-383-7796
Fax Number of Property Owner(s)

Mailing Address of Agent(s): Peter M Dailey
3941 Butler Ave. Sarasota Fl. 34234

941-302-1500
Telephone Number of Agent(s)

Fax Number of Agent(s)

STATE OF Florida
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 25th day of Nov., 2014 ~~2003~~, by Mary Moore, Owner(s) for and on behalf of whom this instrument was executed.

Lynda D Hicks
Notary Public State of
Typed Name
Commission Expires
Commission #

LYNDA D. HICKS
Notary Public - State of Florida
My Comm. Expires Aug 20, 2015
Commission # EE 90547
Bonded Through National Notary Assn.

Personally Known ✓
OR Produced Identification
Type of Identification Produced _____

SURVEY

SECTION 15, TOWNSHIP 35S., RANGE 15E.

0 30 60

SCALE 1" = 30'

N

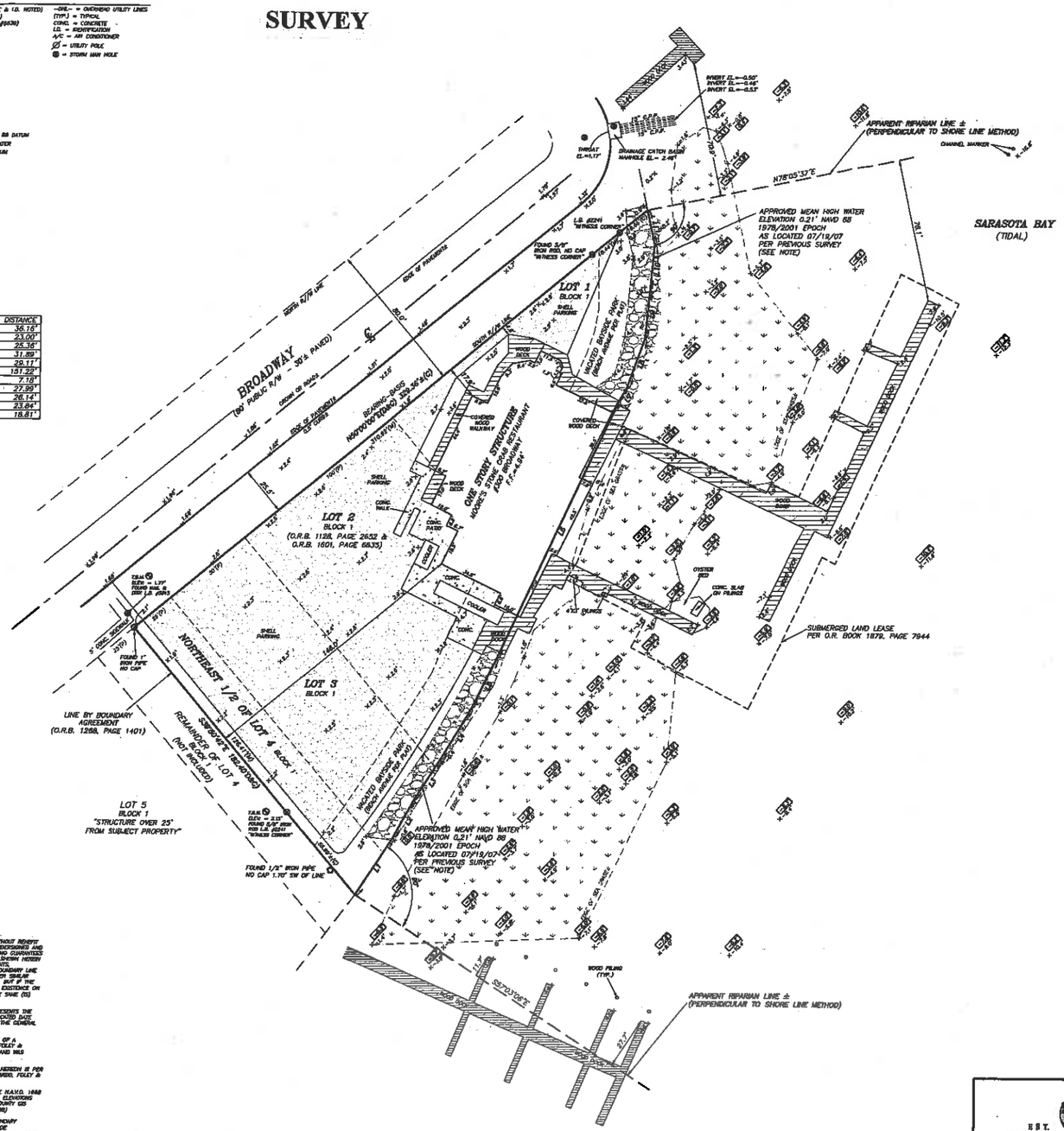
ASSUMED

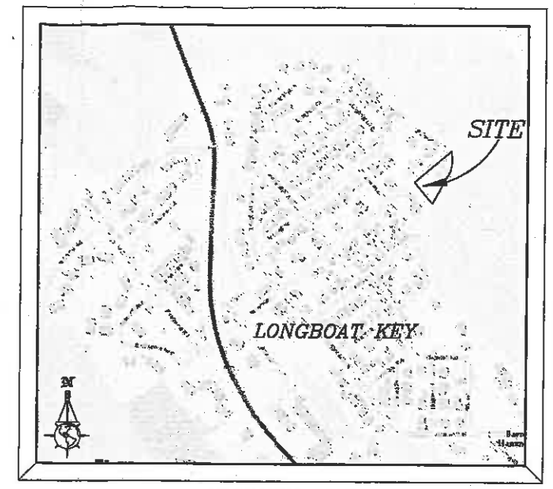
LEGEND

- □ = CONCRETE MONUMENT FOUND, (SIZE & I.D. NOTED)
- ⊙ = 5/8" IRON ROD FOUND (I.D. NOTED)
- ⊙ = 5/8" CAPPED IRON ROD SET (L.B. #6636)
- ⊙ = NAIL & DISK (I.D. NOTED)
- ⊙ = FOUND METAL IRON (I.D. NOTED)
- ⊙ = 1/2" IRON PIPE FOUND (NO I.D.)
- P.L. = PLAT LINE
- (M) = MEASURED DIMENSION
- (C) = CALCULATED DIMENSION
- (D) = RECORD DIMENSION
- U. & D. = UTILITY & DRAINAGE
- L.B. = LICENSED BUSINESS
- L.S. = LAND SURVEYOR
- C.M. = CONC. MONUMENT
- R/W = RIGHT-OF-WAY
- C/L = CENTER LINE
- T.B.M.= TEMPORARY BENCH MARK
- F.F. = FINISHED FLOOR
- EL. ELEV. = ELEVATION
- 3.00= ELEVATION RELATIVE TO THE NAVD 88 DATUM
- (-3.0)= DEPTH RELATIVE TO MEAN LOW WATER
- N.A.V.D. = NORTH AMERICAN VERTICAL DATUM
- F.I.R.M. = FLOOD INSURANCE RATE MAP
- INV.= INVERT ELEVATION
- —OHE— = OVERHEAD UTILITY LINES
- (TYP.) = TYPICAL
- CONC. = CONCRETE
- I.D. = IDENTIFICATION
- A/C = AIR CONDITIONER
- = UTILITY POLE
- = STORM MAN HOLE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N32°56'54"E	35.16'
L2	N28°13'13"E	23.00'
L3	N32°46'29"E	25.16'
L4	N30°47'40"E	31.89'
L5	N25°27'41"E	29.11'
L6	N24°30'34"E	151.22'
L7	N30°03'48"E	7.18'
L8	N19°12'30"E	27.89'
L9	N05°03'14"E	26.14'
L10	N05°00'28"E	23.84'
L11	N11°34'25"W	18.61'





VICINITY MAP:
NOT TO SCALE

SURVEYORS NOTES:

THIS IS NOT A BOUNDARY SURVEY.

THE SURVEY AS SHOWN HEREON WAS MADE WITHOUT BENEFIT OF ABSTRACT OF TITLE, AND THEREFOR THE UNDERSIGNED AND STRAYER SURVEYING AND MAPPING, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, CLAIMS OF EASEMENTS, RESTRICTIONS, ETC. SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, ADVERSE POSSESSION, ANY MATTERS OR OTHER SPECIAL ANTICES WHICH ANY A TITLE SEARCH OR ABSTRACT, BUT IF THE SAME, OR ANY OF THEM ACTUALLY (IS) (ARE) IN EXISTENCE ON THE LAND SURVEYED, THEN IN THAT EVENT, THE SAME (IS) (ARE) SHOWN HEREON.

THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULT OF A SURVEY PERFORMED ON THE INDICATED DATE AND CAN ONLY BE CONSIDERED AS INDICATIVE THE GENERAL CONDITIONS AT THAT TIME.

THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A PREVIOUS SURVEY COMPLETED BY LOMBARDO, FOLEY & KOLARIC, INC., JOB # 9771, DATED 02/19/99 AND WAS PROVIDED BY THE CLIENT.

THE APPROXIMATE MEAN HIGH WATER LINE SHOWN HEREON IS PER THE REFERENCED SURVEY COMPLETED BY LOMBARDO, FOLEY & KOLARIC, INC.

ELEVATIONS SHOWN HEREON ARE BASED ON THE N.A.V.D. 1988 VERTICAL DATUM UNLESS OTHERWISE SPECIFIED. ELEVATIONS SHOWN HEREON ARE BASED ON A MANATEE COUNTY GIS STATION #M-197, ELEVATION 3.72' (N.A.V.D. 1988)

TIDAL DATA OBTAINED FROM THE LAND AND BOUNDARY INFORMATION SYSTEM- (LABINS.ORG) WEBSITE, TIDE INTERPOLATION POINT #3862, MEAN HIGH WATER 0.52ft = 0.21' NAVD 88, MEAN LOW WATER -1.17' NAVD 88.

VEGETATION TYPES INDICATED WERE IDENTIFIED TO THE BEST OF KNOWLEDGE OF STRAYER SURVEYING & MAPPING. HOWEVER, A QUALIFIED ENVIRONMENTAL ENGINEER SHOULD BE CONSULTED FOR EXACT VEGETATION IDENTIFICATION.

THERE ARE NO APPARENT ENCROACHMENTS EITHER THAN SHOWN, NO BOUNDARY LINE DISPUTES, EASEMENTS OR CLAIMS OF EASEMENTS OF WHICH WE HAVE KNOWLEDGE.

NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.

BEARINGS SHOWN HEREON ARE BASED ON THE RECORD PLAT OF LONG BEACH, REPLAT OF LONG BEACH, THE SOUTH R/W LINE OF BROADWAY, BEARS N. 89°59'00" E.

SYMBOL CHARACTERS AND OR POSITIONS MAY NOT BE DEPICTED TO SCALE FOR CLARIFICATION PURPOSES.

FLOOD ZONE DATA:

THIS IS NOT A CERTIFIED FLOOD ZONE DETERMINATION

IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY FLOOD ZONE INFORMATION AND ANY BUILDING RESTRICTIONS PRIOR TO CONSTRUCTION.

FLOOD ZONE DETERMINATION IS FOR INFORMATIONAL PURPOSES ONLY. PROPOSED FINISHED FLOOR ELEVATIONS CAN ONLY BE DETERMINED BY PERMITTING AUTHORITY.

PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD ZONE " AE " BASE FLOOD ELEVATION (8 FEET NAVD 88) AS PER F.I.R.M. MAP #12081C0288E DATED 02/17/2014.

TO BE VERIFIED BY THE LOCAL F.E.M.A. OFFICIAL

TOPOGRAPHIC SURVEY OF:

LOTS 1, 2, 3 AND NORTHEAST 1/2 OF LOT 4, BLOCK 1
LONG BEACH, REPLAT
OF LONG BEACH AND THE SUBMERGED LANDS ADJACENT THERETO
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 308, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA
CHARLOTTE COUNTY, FLORIDA

EST. 1987
STRAYER
SURVEYING & MAPPING, INC.

742 Shamrock Boulevard
Venice, Florida 34293
(941) 496-9458
Fax (941) 497-6186
www.strayersurveying.com

FILE NUMBER:	14-11-59	Revision:
DRAWING NUMBER:	141159.DWG	
DATE OF FIELD SURVEY:	12/01/2014	
FIELD BOOK:	627	
PAGE:	60, 61	
CHECKED BY:	R.S.S.	
DRAWN BY:	M.S.P.	

CERTIFIED TO:
MOORE-HICKS LIMITED PARTNERSHIP

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PEOPLE LISTED HEREON, AND ONLY FOR THIS PARTICULAR TRANSACTION. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO THIRD PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY ON THIS SURVEY.

THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS FOR SURVEYS" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUES, AND IS NOT INTENDED TO MEET ANY OTHER MUNICIPAL OR NATIONAL STANDARD OR REQUIREMENT UNLESS NOTED.

STRAYER SURVEYING & MAPPING, INC.
LICENSED SURVEYOR BUSINESS NO. 6839

PRELIMINARY FOR REVIEW

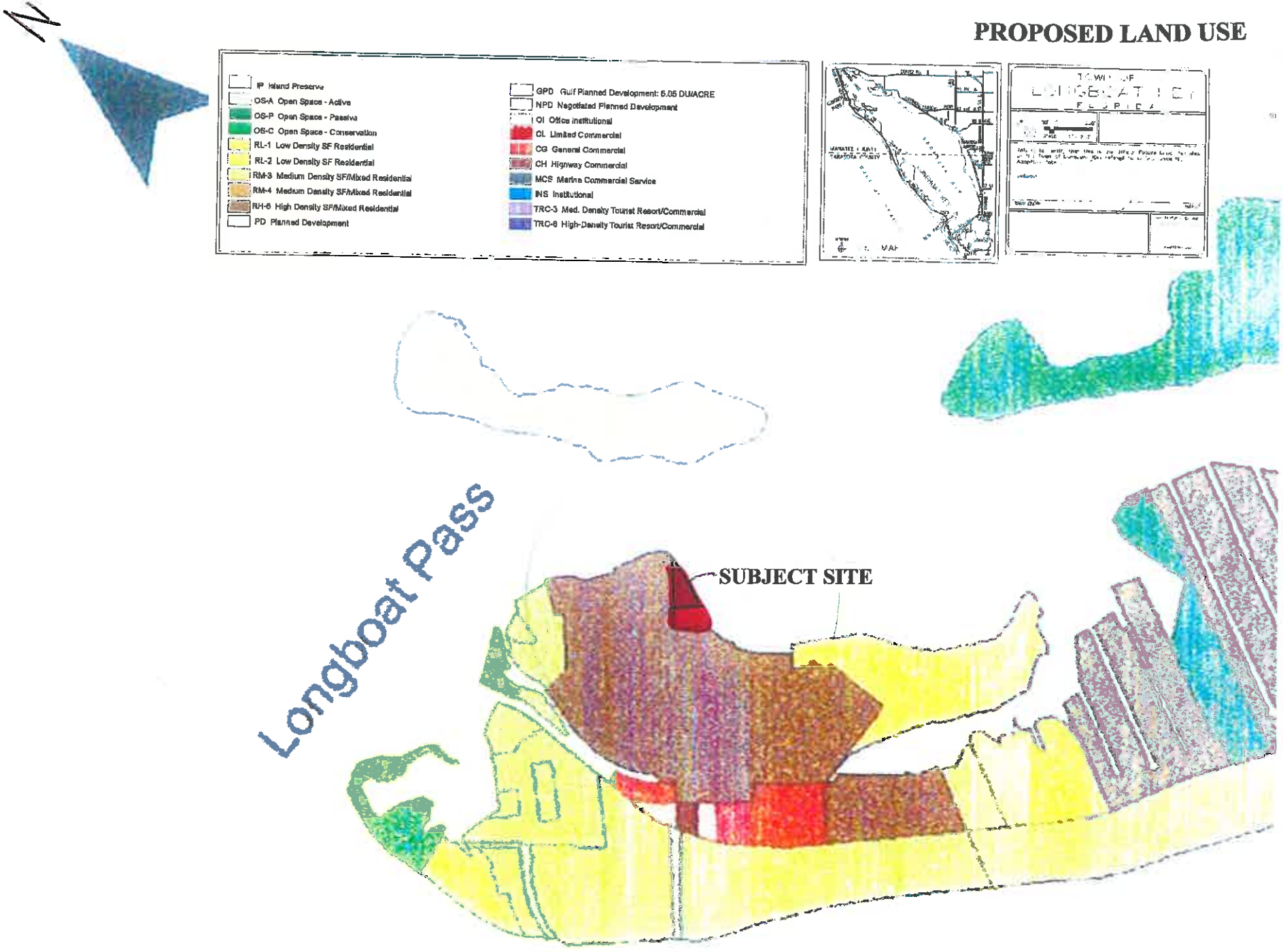
ROBERT B. STRAYER, JR.
FLORIDA SURVEYOR & MAPPER REG'N #5027

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

COPYRIGHTED MATERIAL © 2014

ATTACHMENT 3

PROPOSED LAND USE



ATTACHMENT 4

LEGEND
EXISTING SF HOME
EXISTING MULTIFAMILY
COMMERCIAL

SARASOTA BAY

SUBJECT SITE

GULF OF MEXICO

OS

R-1SF

R-2MX

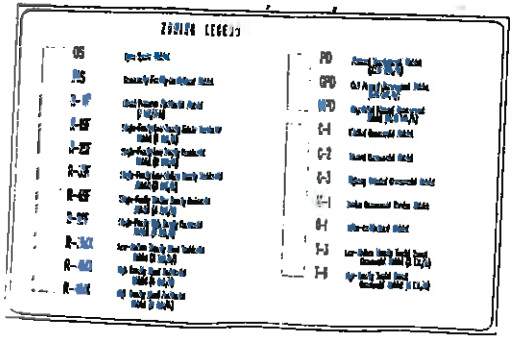
C-2

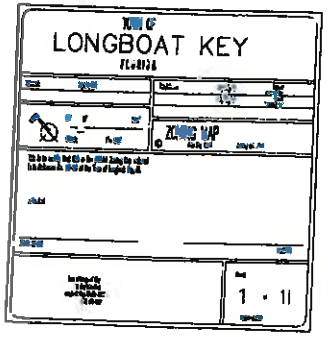
R-2SF

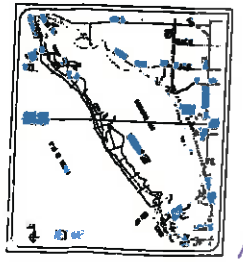
R-1P

MOORE'S STONE CRAB RESTAURANT

CURRENT LAND USE

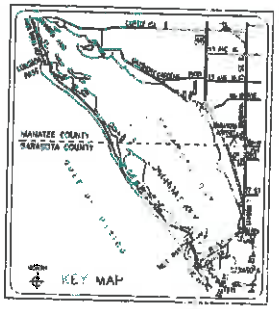




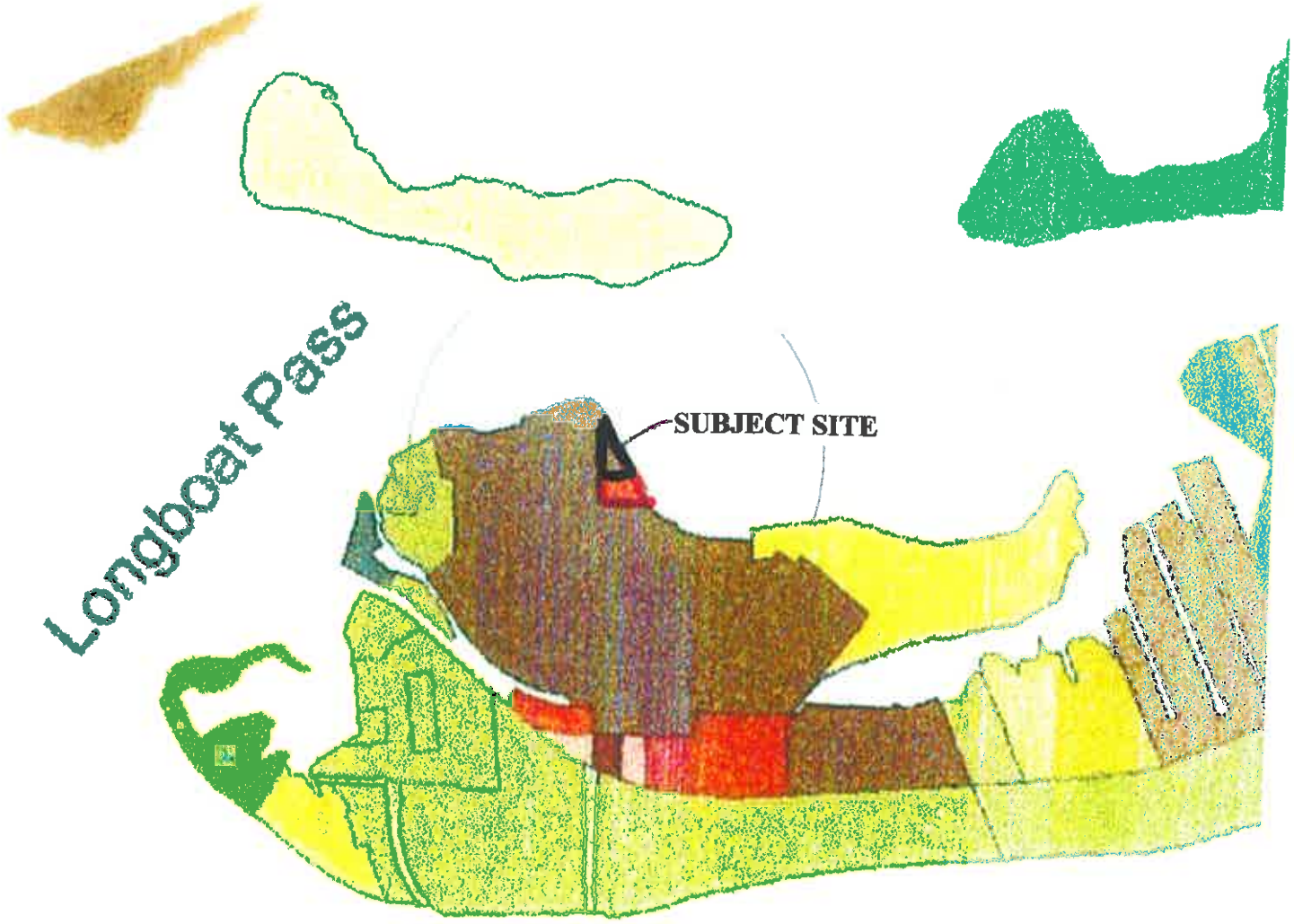


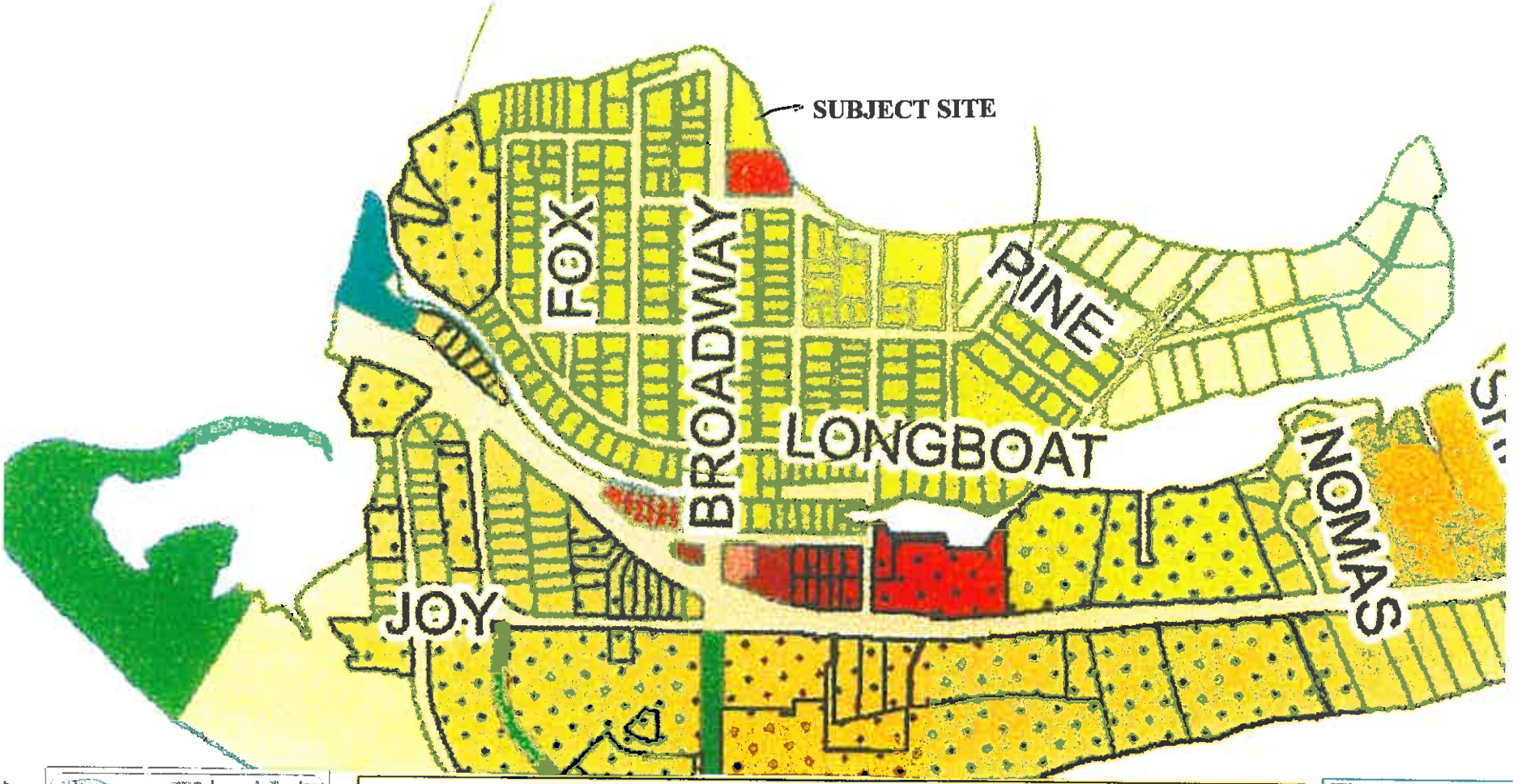
EXISTING FUTURE LAND USE

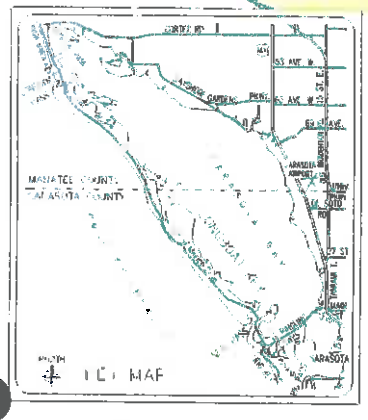
- IP Island Preserve
- OS-A Open Space - Active
- OS-P Open Space - Passive
- OS-C Open Space - Conservation
- RL-1 Low Density SF Residential
- RL-2 Low Density SF Residential
- RM-3 Medium Density SF/Mixed Residential
- RM-4 Medium Density SF/Mixed Residential
- RH-6 High Density SF/Mixed Residential
- PD Planned Development
- GPD Gulf Planned Development: 6.05 DU/ACRE
- NPD Negotiated Planned Development
- OI Office Institutional
- CL Limited Commercial
- CG General Commercial
- CH Highway Commercial
- MCS Marine Commercial Service
- INS Institutional
- TRC-3 Med. Density Tourist Resort/Commercial
- TRC-8 High-Density Tourist Resort/Commercial



TOWN OF LONGBOAT KEY FLORIDA





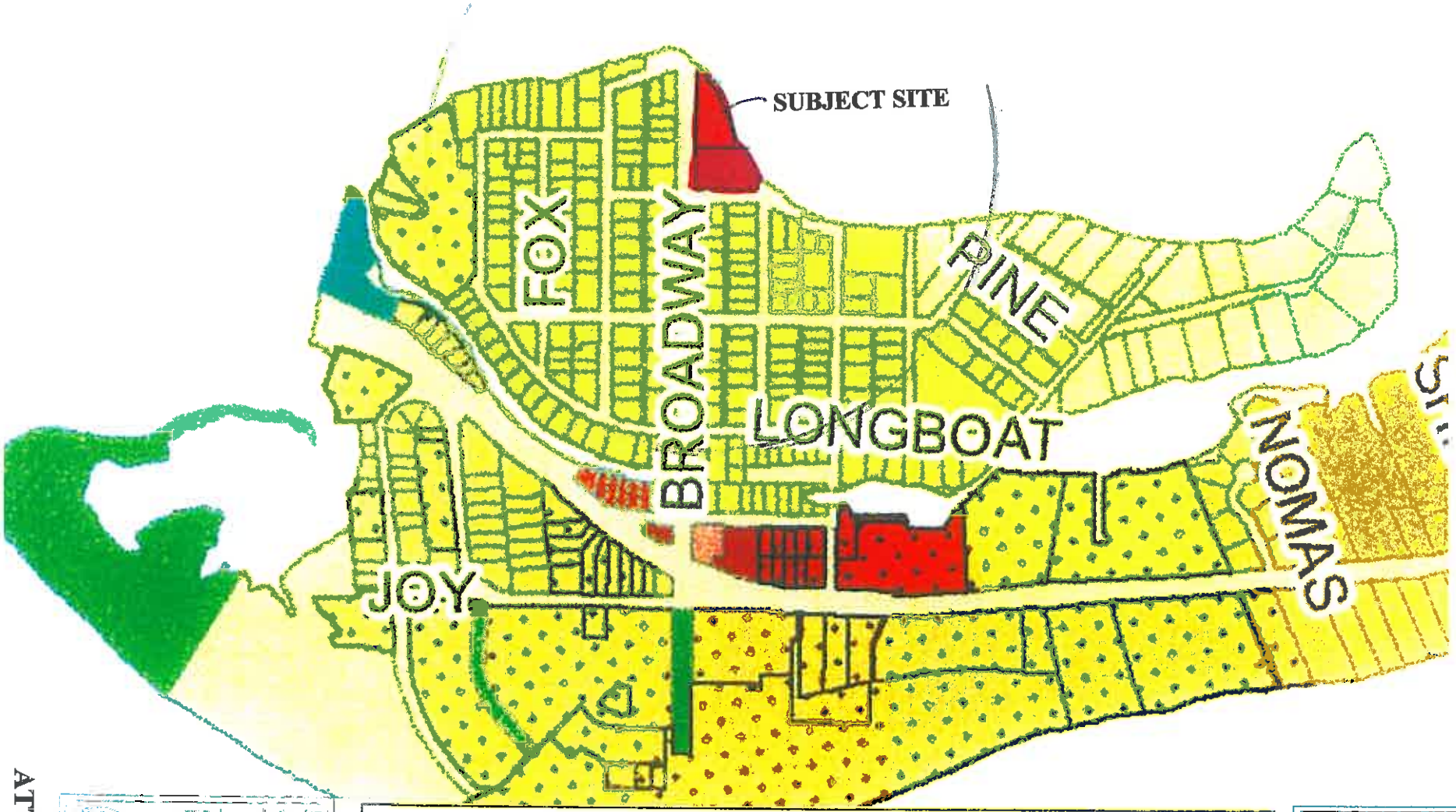


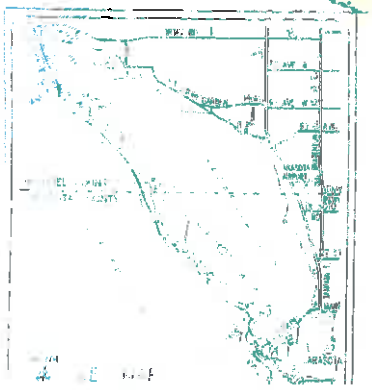
ZONING LEGEND

- C-1 LIMITED COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-3 HIGHWAY ORIENTED COMMERCIAL
- INS INSTITUTIONAL
- M-1 MARINE COMMERCIAL SERVICE
- MUC-1 MIXED USE COMMUNITY BAY ISLES (3.28 DU/A)
- MUC-2 MIXED USE COMMUNITY ISLANDSIDE (5.05 U/A)
- MUC-3 MIXED USE COMMUNITY PROMENADE/WATER CLUB (11.26 DU/A)
- O-I OFFICE INSTITUTIONAL
- OS-A OPEN SPACE ACTIVE
- OS-C OPEN SPACE CONSERVATION
- OS-P OPEN SPACE PASSIVE
- R-1SF SINGLE FAMILY LOW DENSITY ESTATE RESIDENTIAL (1 DU/A)
- R-2SF SINGLE FAMILY LOW DENSITY RESIDENTIAL (2 DU/A)
- R-3MX LOW MEDIUM DENSITY MIXED RESIDENTIAL (3 DU/A)
- R-3SF SINGLE FAMILY LOW MEDIUM DENSITY (3 DU/A)
- R-4MX MEDIUM DENSITY MIXED RESIDENTIAL (4 DU/A)
- R-4SF SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL (4 DU/A)
- R-6MX HIGH DENSITY MIXED RESIDENTIAL (6 DU/A)
- R-6SF SINGLE FAMILY HIGH DENSITY RESIDENTIAL (6 DU/A)
- R-IP ISLAND PRESERVE RESIDENTIAL (1 DU/5 A)
- T-3 LOW MEDIUM DENSITY TOURIST RESORT/COMMERCIAL (3 TU/A)
- T-6 HIGH DENSITY TOURIST RESORT/COMMERCIAL (6 TU/A)

TOWN OF
LONGBOAT KEY
FLORIDA

EXISTING ZONING





ZONING LEGEND

- C-1 LIMITED COMMERCIAL
- C-2 GENERAL COMMERCIAL
- C-3 HIGHWAY ORIENTED COMMERCIAL
- INS INSTITUTIONAL
- M-1 MARINE COMMERCIAL SERVICE
- MUC-1 MIXED USE COMMUNITY BAY ISLES (3.26 DU/A)
- MUC-2 MIXED USE COMMUNITY ISLANDSIDE (5.05 U/A)
- MUC-3 MIXED USE COMMUNITY PROMENADE/WATER CLUB (11.26 DU/A)
- O-I OFFICE INSTITUTIONAL
- OS-A OPEN SPACE ACTIVE
- OS-C OPEN SPACE CONSERVATION
- OS-P OPEN SPACE PASSIVE
- R-1SF SINGLE FAMILY LOW DENSITY ESTATE RESIDENTIAL (1 DU/A)
- R-2SF SINGLE FAMILY LOW DENSITY RESIDENTIAL (2 DU/A)
- R-3MX LOW MEDIUM DENSITY MIXED RESIDENTIAL (3 DU/A)
- R-3SF SINGLE FAMILY LOW MEDIUM DENSITY (3 DU/A)
- R-4MX MEDIUM DENSITY MIXED RESIDENTIAL (4 DU/A)
- R-4SF SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL (4 DU/A)
- R-6MX HIGH DENSITY MIXED RESIDENTIAL (6 DU/A)
- R-6SF SINGLE FAMILY HIGH DENSITY RESIDENTIAL (6 DU/A)
- R-IP ISLAND PRESERVE RESIDENTIAL (1 DU/5 A)
- T-3 LOW MEDIUM DENSITY TOURIST RESORT/COMMERCIAL (3 TU/A)
- T-6 HIGH DENSITY TOURIST RESORT/COMMERCIAL (6 TU/A)

TOWN OF
LONGBOAT KEY
FLORIDA

PROPOSED ZONING

ATTACHMENT 8

AERIAL

Highlighted Feature	Palmetto	Interstates		
Sections	Longboat Key	U.S. Highways		Railroads
Parcels	Holmes Beach	State Roads		
Airports	Bradenton	County Roads		Florida Counties
	Bradenton Beach	Major Roads		Aerial Photography 2007
	Anna Maria	Residential Streets		

Owner	MOORE-HICKS LIMITED PARTNERSHIP	Parcel ID	7766100007
Sec Owner	NONE		
Address	600 BROADWAY LK		
Sec Address	NONE	LUC	2100
Sub Lot/Blk	LONG BEACH PB1/306	Acres	0.691
Subdivision Lot	Lot 4 - Block 1	Watershed	NONE
Impact District	A - SW	Commissioner	John Chappie
Fire District	Longboat Key	Flood Map	308_C
Zoning	CITY	Flood Zone	AE
Future Land Use	CITY	Flood Way	N
Sec Twn Rng	S15 T35 R16	Historic	NONE
Evac Zone	A	Special Areas	NONE
Overlays	NONE	AFHD	URBAN-A
LUC Desc	RESTAURANTS, CAFETERIAS		

GIS

This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present

Fri Feb 13 09:10:37 EST 2009

TOWN OF
Longboat Key
Incorporated November 14, 1955

Public Works Department
600 General Harris Street
Longboat Key FL 34228
(941) 316-1988
FAX (941) 316-1984
www.longboatkey.org

December 1, 2014

Peter M. Dailey, AICP
Dailey Design Group, Inc.
3941 Butler Avenue
Sarasota FL 34234

Re: Moore's Stonecrab Restaurant, 800 Broadway Street, Longboat Key, FL
Utility Capacity – Proposed Amendment to Land Use from RH-6 and RSF-6 to C-1

Dear Mr. Dailey:

This will serve to confirm that there exists sufficient utility capacity (potable water/wastewater and solid waste) for the requested uses.

The applicant has agreed to improve site stormwater drainage to handle current unattenuated/untreated run-off into Sarasota Bay as evidenced in paragraph "F" Concurrency of the application.

Questions regarding these comments should be directed to my office at (941) 316-1988.

Sincerely,

Juan J Florensa
Public Works Director

xc. Alaina Ray, Planning, Zoning, & Building Director
Susan L Smith, Finance Director
Moore-Hicks Limited Partnership, LLC

Ordinance 2015-09

Change of Zoning
800 Broadway Street

Town Commission Regular Meeting

May 4, 2015

Change of Zoning Request

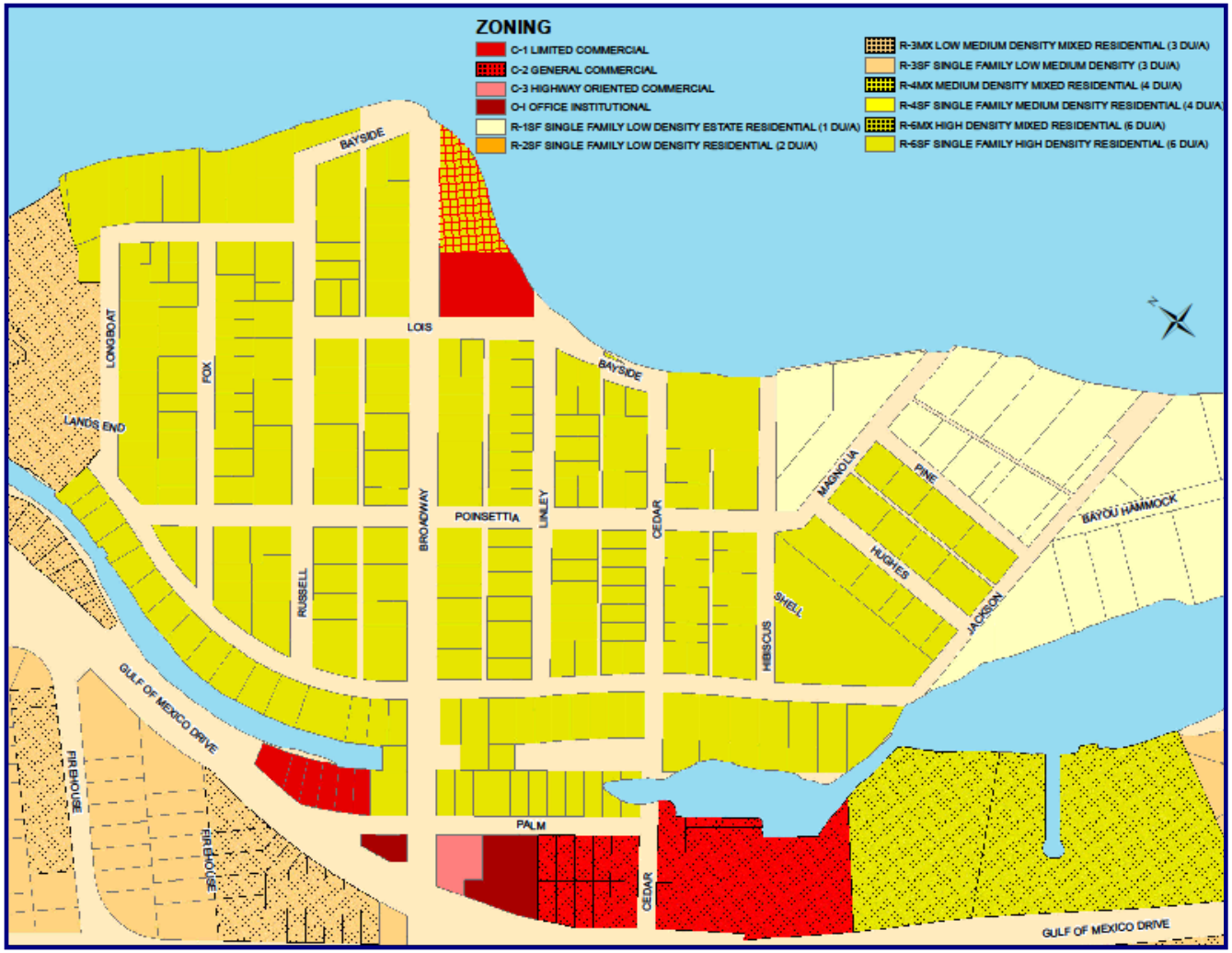
The applicant is requesting a change of zoning for the property located at 800 Broadway from Single Family High Density Residential (R-6SF) to Limited Commercial (C-1).

TOWN OF LONGBOAT KEY

Aerial

TOWN OF LONGBOAT KEY

Zoning Map



P&Z Board Recommendation

At their February 17, 2015, meeting, the Planning and Zoning Board recommended <u>APPROVAL</u> of the requested amendment to change the zoning for the property located at 800 Broadway Street from Single-Family High Density Residential (R-6SF) to Limited Commercial (C-1).

Staff Recommendation

Staff recommends <u>APPROVAL</u> of the requested change of zoning of the Property at 800 Broadway Street to Limited Commercial (C-1).

AGENDA ITEM 1
MOORE'S STONE CRAB RESTAURANT, 800 BROADWAY STREET
REZONING APPLICATION (QUASI-JUDICIAL)

Pursuant to published notice, the public hearing was opened. All those testifying were sworn at this time.

Attorney Mooney-Portale asked if there had been any Ex Parte communications, if anyone had a conflict, or if anyone believed they could not be fair and impartial. None were noted.

Alaina Ray, Planning, Zoning & Building Director, reviewed the staff report noting:

- The restaurant has been in existence since 1957
- The land use was changed from commercial to residential in 2009
- Never a desire or intent of the property owner to cease restaurant operation
- Property was one of two historic waterfront restaurants in the Village
- The current restaurant could not be renovated or reconstructed if involuntarily destroyed due to existing Future Land Use designation
- The current request was consistent with the Comprehensive Plan, in that the Comprehensive Plan requires review of historic uses, review preservation of the historic character of the island, and act to preserve those uses that were valuable to the community
- The change was also consistent with the adopted Vision Plan, which was adopted after the previous land use and Comprehensive Plan change

Peter Dailey, Dailey Design Group, representing the applicant, reviewed the request and provided an overview of the reason for the request. He reiterated they had received variances from the required setbacks from the ZBA. He continued with reviewing the site plan and illustrative drawings.

Larry Grossman, St. Judes Drive, believed Moore's should be rezoned to a restaurant only and not to C-1, because other uses could be on the site.

No one else wished to be heard, and the hearing was closed.

Mr. Wild noted there was some retail in the existing restaurant and asked if there was a particular amount that was allowed. Ms. Ray responded there has been nothing like that done. The variance requested last week was for a restaurant use only; if the use changed, then they would need to comply with all C-1 setbacks, which made development difficult. She commented that the code refers to 'accessory uses', which for most destination restaurants the sale of t-shirts and related items that had their logo on it was typical.

Mr. Symanski believed Mr. Grossman's point was if the board approved the application, that there would be only a restaurant and not a large retail center. He asked if the board could condition the approval on being a restaurant only. Ms. Ray commented this was

a straight rezoning. The ZBA variance granted the applicant setbacks that were considerably less than C-1 zoning setbacks, but limited it specifically to a restaurant. At the time the applicant submits a special exception, with their site plan, the board could then condition that special exception to state a certain percentage of the restaurant could be used for retail. Mr. Symanski asked if the Town allowed the rezoning, would the applicant be able to turn the property into something the Town did not want. Ms. Ray explained the current site did not meet the Town Code, so it was a non-conforming building, and changing or increasing the intensity would not be allowed. Chair Hixon believed Mr. Symanski was asking if the applicant could convert the interior to a different commercial use. Ms. Ray replied potentially yes. Mr. Garner asked if there was any classification, or any type of rezoning, that would limit this or add a limitation. Ms. Ray responded the commercial use being proposed was the least intensive of all the commercial zoning districts in the Town, so they would be limited by that.

MS. BISHOP MOVED THE P&Z BOARD RECOMMEND APPROVAL OF THE REZONING APPLICATION FOR MOORE'S STONE CRAB RESTAURANT FROM R-6SF TO C-1. MR. SYMANSKI SECONDED THE MOTION. MOTION CARRIED ON ROLL CALL VOTE: AITKEN, AYE; BISHOP, AYE; DALY, AYE; GARNER, AYE; HACKETT, AYE; HIXON, AYE; SCHNEIER, AYE; SYMANSKI, AYE; WILD, AYE.

ORDINANCE 2015-09

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, ADOPTING A CHANGE OF ZONING FROM SINGLE-FAMILY HIGH DENSITY RESIDENTIAL (R-6SF) TO LIMITED COMMERCIAL (C-1), FOR THE PROPERTY LOCATED AT 800 BROADWAY STREET, KNOWN AS THE MOORE'S STONE CRAB RESTAURANT SITE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the property, Moore-Hicks Limited Partnership LLC, request approval of their application to change the zoning district of the property, consisting of approximately 0.89 acres, from to Single-Family High Density Residential (R-6SF) to Limited Commercial (C-1); and

WHEREAS, the Planning and Zoning Official has, in a timely fashion, accepted the application and referred the same to the Planning and Zoning Board along with the supporting documentation and staff recommendations; and

WHEREAS, the Town of Longboat Key Planning and Zoning Board, at a duly noticed public hearing on February 17, 2015, considered the requested zoning change; and

WHEREAS, the Planning and Zoning Board voted to recommend approval of the requested zoning change, forwarding the same to the Town Commission for their review and approval; and

WHEREAS, the Town Commission of the Town of Longboat Key, at duly noticed public hearings on April 6, 2015, and May 4, 2015, held pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, considered the proposed zoning change as recommended by the Planning and Zoning Board; and

WHEREAS, Moore's Stone Crab Restaurant has been an historic asset to the community since 1967, by providing waterfront access to the public; and

WHEREAS, the loss of waterfront restaurants in the region has been a continuing trend over the last two decades; and

WHEREAS, the subject property was historically designated as Limited Commercial (CL) until 2010; and

WHEREAS, the Town's Comprehensive Plan Objective 1.2 provides that the Town will protect historic resources through periodic review of the resources and existing land development regulations; and

WHEREAS, the Town's adopted Vision Plan recognizes waterfront dining as one of the amenities that makes Longboat Key a special place; and

WHEREAS, the Town's Vision Plan states that the Town will strive to support restaurants on the island, encouraging viability and diversification, as well as waterfront dining options; and

WHEREAS, the Town Commission recognizes the importance of preserving the historic use and public amenity provided at the subject property; and

WHEREAS, the Town Commission of the Town of Longboat Key has concurrently with proposed zoning change, approved a small scale Comprehensive Plan amendment for the property located at 800 Broadway per Florida Statues 163.3184(12), and

WHEREAS, Zoning changes approved by the local government are contingent upon the comprehensive plan or plan amendment transmitted becoming effective, and.

WHEREAS, the Town Commission of the Town of Longboat Key finds that the proposed zoning change is in the best interest of the Town and consistent with the amended Town's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses set forth above are hereby adopted as findings by the Town Commission for the adoption of this Ordinance.

SECTION 2. The Town of Longboat Key Zoning Map is hereby amended for approximately 0.89 acres located at 800 Broadway Street, Longboat Key, Florida 34228 (Lots 1, 2, 3 and NE ½ of Lot 4, Block 1, Long Beach, Replat of Long Beach; also that part of Bayside Drive (vacated) adjacent to above lots bounded on the north by an extension of the southeasterly line of Broadway to Sarasota Bay and bounded on the south by an extension of the southeasterly line of Lot 4) from Single-Family High Density Residential (R-6SF) to Limited Commercial (C-1)(hereinafter "Property").

SECTION 3. If any section, subsection, sentence, clause or provision of this Ordinance is held to be invalid or ineffective, the validity of the remaining portions of this Ordinance shall not be affected.

SECTION 4. All ordinances and parts of ordinances in conflict herewith shall be deemed repealed.

Passed on the first reading and public hearing the _____ day of _____, 2015.

Adopted on the second reading and public hearing the _____ day of _____, 2015.

_____
Jack G. Duncan, Mayor

ATTEST:

_____
Trish Granger, Town Clerk

End of Agenda Item

End of Agenda Item